

PROB 12C  
(6/96)

# United States District Court

for

WESTERN DISTRICT OF TEXAS

## **Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Charles Joshua Walters

Case Number: A-16-CR-182(01)-SS

Name of Sentencing Judicial Officer: Honorable Sam Sparks, Senior United States District Judge

Date of Original Sentence: December 16, 2016

Original Offense: Possession of a Firearm by a Felon, in violation of 18 U.S.C. § 922(g)(1)

Original Sentence: Thirty (30) months' custody in the Bureau of Prisons followed by three (3) years of supervised release, with the following special conditions: search, substance abuse and mental health counseling, medication as prescribed, shall not use or possess alcohol and \$100 special assessment fee (satisfied)

Type of Supervision: Supervised Release

Date Supervision Commenced: December 12, 2018

Assistant U. S. Attorney: Alan M. Buie

Defense Attorney: Jose Gonzalez-Falla (AFPD)

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### **PREVIOUS COURT ACTION**

None

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### PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation of Mandatory Condition 1:** "The defendant shall not commit another federal, state, or local crime during the term of supervision.

**Violation of Standard Condition 3:** "The defendant shall not knowingly leave the federal judicial district where he or she is authorized to reside without first getting permission from the court or the probation officer."

**Violation of Standard Condition No. 8:** "The defendant shall not communicate or interact with someone the defendant knows is engaged in criminal activity. If the defendant knows someone has been convicted of a felony, the defendant shall not knowingly communicate or interact with that person without first getting the permission of the probation officer."

**Violation of Standard Condition No. 9:** "If the defendant is arrested or questioned by a law enforcement officer, the defendant shall notify the probation officer within 72 hours."

**Violation of Special Condition:** "The defendant shall not use or possess alcohol."

**Nature of Noncompliance:** On June 10, 2020, according to investigative reports prepared by the Missouri City Police Department, officers were dispatched reference to an assault. Officers contacted the complainant, identified as Nitalia Rosario. She reported that Walters gave her a ride from Austin to the Houston area. She advised that Walters is her manager at the Yellow Rose. Rosario indicated that they had eaten and had drinks. She indicated that Walters had too much to drink and asked to stay at her residence. She agreed to allow him to stay over. Rosario stated that Walters asked her to have sex and she declined. She reported he became angry and began to push her and put his hands around her neck and over her mouth. Rosario stated that Walters commented that if you will not have sex with me, I will take the money you earned which was approximately \$2,000. She stated she reached for her purse and he came behind her choking her. He left the residence with her purse, the money, and a ring that he removed from her hand. Said case is under investigation by the Fort Bend County District Attorney's Office. Missouri City, Texas is in the Southern District of Texas and Walters was not given permission to travel there.

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On June 29, 2020, according to investigative reports prepared by the Austin Police Department, at approximately 3am, officers were dispatched reference a disturbance at the Hyatt hotel in downtown Austin. Upon arrival, officers contacted the complainant, Natalia Bogner, who was later identified as the defendant's ex-girlfriend. Bogner stated that she was staying in a room with Walters and another individual by the name of Wesley Joseph Mahone, who was later discovered to be a felon on state parole. Bogner reported that Walters became upset with her and with Mahone. She reported that Walters grabbed her by the arm as she tried to leave the room and as Mahone intervened Walters struck him on the left side of his face with a closed fist. Mahone had visible marks on his face. Walters had left the scene prior to the officers responding to the disturbance. A report was taken and filed.

On the same date, at approximately 4:30am, officers responded to a residence reference a disturbance. Upon arrival, officers contacted Bogner and Mahone who reported that the defendant had followed them to their residence and tried to make entry without permission. Walters left the scene before officers arrived. There was damage to windows and a report was taken and filed.

An hour later, officers returned to the residence as the complainants reported the defendant had returned. Officers gave verbal commands to Walters who was not complying with their commands. Walters moved toward the officers in an aggressive manner and made the following comments, "What if I have a gun" and "I have PTSD." Walters kept asking officers to shoot him "one in the head and one in the chest" and pointed his cell phone at them as if it were a gun. Walters collapsed in the middle of the street, and emergency personnel were able to provide him with assistance. He was placed in an ambulance due to having had a seizure and continued to fight and resist officers, even while in restraints. He was finally transported to a hospital and released from the hospital the following day. The defendant has failed to notify this officer of said law enforcement contact, as of this writing.

**U. S. Probation Officer Recommendation:** Although, the defendant has not been charged for these criminal acts, his behavior is concerning. The defendant stands 6 feet tall and weighs 275 pounds and on both assaultive incidents the victims did not want to pursue charges in fear of retaliation from the defendant. The defendant has committed technical violations of consuming alcohol, leaving the judicial district without permission, and not notifying the probation officer of law enforcement contact. The probation office respectfully recommends a warrant be issued and said violations be addressed by the Court.

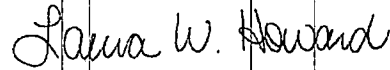
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Approved by,



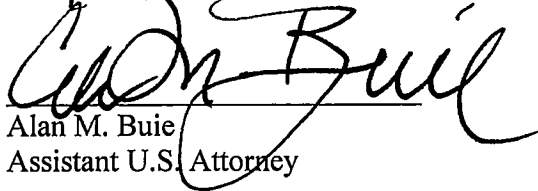
Hector J. Garcia  
Supervising U.S. Probation Officer

Respectfully submitted,



Laura W. Howard  
Sr. U.S. Probation Officer  
Date: 7/2/2020

Received by



Alan M. Buie  
Assistant U.S. Attorney

☒ recommend

☐ does not recommend

Justification:

**THE COURT ORDERS:**

[ ] No Action

☒ The Issuance of a Warrant

[ ] The Issuance of a Summons

[ ] Other:



Honorable Susan Hightower  
U.S. Magistrate Judge

July 6, 2020

Date